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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,176	02/26/2002	Toshitaka Hasegawa	826.1796	2408
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER CHEN, TSE W	
			ART UNIT 2116	PAPER NUMBER

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,176

Applicant(s)

HASEGAWA, TOSHITAKA

Examiner

Tse Chen

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-10 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 5, 6 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment dated August 10, 2005.
2. Claims 1-17 are presented for examination.

Claim Objections

3. Claims 9 and 14-15 are objected to because of the following informalities:
 - As per claim 9, “information processing apparatus which is an arbitrary information processing device in a plurality of information processing devices in a computer system in which a power supply control device is provided for each of the plurality of information processing devices connected to a network” should be “information processing apparatus which is an arbitrary information processing device in a computer system in which a power supply control device is provided for each of a plurality of information processing devices connected to a network”.
 - As per claims 14-15, “other information processing devices” should be “the information processing devices”.
4. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 7-10, 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Budnik et al., European Publication 0499564A2, hereinafter Budnik.

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7. In re claim 1, Budnik discloses a power supply control method in a system [10] in which a power supply control device [inherently, a power supply control device in the broadest interpretation is needed to couple power on and off] is provided for each of a plurality of information processing devices [terminals] connected to a network [col.1, ll.1-33; col.1, l.50 – col.2, l.4; col.3, ll.18-col.4, l.14], comprising:

- A representative information processing device [used to enter or reset schedule] of the plurality of information processing devices issuing, according to a predetermined power-up/down schedule [fig.2, 3] of said representative information processing device and other information processing devices [schedule entered for entire data processing system 10], a power-up instruction to each power supply control device of the other information processing devices upon each activation [terminals are centralized in control] [col.1, ll.11-33; col.1, l.50 – col.2, l.4; col.3, ll.18-col.4, l.28].
- Instructing each of the information processing devices to perform a power-down process [col.4, ll.43-55; col.5, ll.2-36; warning message instructs preparation for shutdown], notifying the information processing devices of a next power-up date and time, and having each power supply control device enter a next power-up date and time [next power up inherently entered in order for each terminal to determine appropriate action] each time a power-down date and time [warning message of remaining time inherently indicates date and time of present] comes [col.6, ll.20-50].
- Each power supply control device of said other information processing devices performing a power-up process upon receipt of the power-up instruction or when the

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entered power-up date and time comes [col.1, ll.11-33; col.1, l.50 – col.2, l.4; col.3, ll.18-col.4, l.28].

8. In re claim 2, Budnik discloses each and every limitation as discussed above in reference to claim 1. Budnik further discloses, comprising notifying each power supply control device of the other information processing devices of a next power-up date and time, having each power supply control device enter the next power-up date and time, and issuing a power-down instruction to each of the other information processing device each time a power-down date and time comes [schedule for all terminals in system to be shutdown, or have the instruction issued at designated time] [fig.2, 3; col.4, ll.43-55; col.5, ll.2-36; col.6, ll.20-50].

9. As to claims 3-4 and 10, Bunik discloses, wherein said power-up date and time given to each of said power supply control devices of said other information processing devices is obtained by any of said information processing devices or each of said other information processing devices adding an arbitrary margin to a power-up date and time in said predetermined power-up/down schedule [col.6, ll.20-50].

10. As to claims 7-8 and 12, Bunik discloses, wherein said power-up instruction or power-down instruction is sequentially issued at predetermined startup intervals or power-down intervals [col.4, ll.37-42].

11. In re claim 9, Budnik discloses each and every limitation as discussed above in reference to claim 1. Budnik discloses the method of operating the apparatus; therefore, Budnik discloses the apparatus.

12. In re claim 13, Budnik discloses each and every limitation as discussed above in reference to claim 1. Budnik discloses the method of operating the device; therefore, Budnik discloses the device.

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13. In re claims 14 and 15, Budnik discloses each and every limitation as discussed above in reference to claim 1. Budnik discloses the method; therefore, Budnik discloses the program realizing the functions of the method.

14. In re claim 16, Budnik discloses a power supply control method for a plurality of information processing devices [terminals] [col.1, ll.1-10; col.3, ll.18-41], comprising:

- Issuing, by one of said information processing devices, a power-up instruction to each of the information processing devices upon each activation [col.1, ll.11-33; col.1, l.50 – col.2, l.4; col.3, l.18 –col.4, l.14].
- Notifying, by said one of said information processing devices, each of the information processing devices of a next power-up data and time [col.6, ll.20-50; each terminal needs to use next power up in accordance to own situation].
- Entering said next power-up date and time in each of the other information processing devices [col.6, ll.20-50; next power-up inherently entered in order for each terminal to determine appropriate action].
- Instructing [to user with warning message to prepare for shutdown], by said one of said information processing devices, each of the other information processing devices to perform a power-down process [col.4, ll.43-55; col.5, ll.2-36].
- Performing a power-up process of each the other information processing devices when the next power-up date and time comes if no further power-up instruction has been received from said one of said information processing devices [col.6, ll.20-50; terminals would have powered up at next power-up with no further power-up instruction since the terminals would be off].

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15. In re claim 17, Budnik discloses, a power supply control method [col. 1, ll. 1-10], comprising:

- Providng power-up [wake-up] and power-down instructions [shutdown] to control power consumption of plural computer [10] [col. 1, ll. 11-33; col. 1, l. 50 – col. 2, l. 4; col. 3, l. 18 – col. 4, l. 14].
- Notifying the computer of a power-up date and time when a power-down instruction is provided [col. 6, ll. 20-50].

Allowable Subject Matter

16. Claims 5-6 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

17. The following is a statement of reasons for the indication of allowable subject matter: the claims are allowable because none of the references cited, either alone or in combination discloses or renders obvious a power supply control method according to claims 1 and 2, wherein “said representative information processing device does not give the power-down instruction and the next-power-up date and time before a power-down permission condition entered in advance of a current and other information processing devices is satisfied although the power-down date and time comes”.

Response to Arguments

18. Applicant's arguments dated August 10, 2005 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

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19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Alexander et al., US Patent 6408397, discloses an invention comprising notifying a computer of a power up time when a power down instruction is provided.
- b. Ote et al., US Patent 6044476, discloses an invention for controlling power supply in a computer system network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tse Chen whose telephone number is (571) 272-3672. The examiner can normally be reached on Monday - Friday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tse Chen
October 22, 2005


LYNNE H. BROWNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3620 *2100*